

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

In re:

USA GYMNASTICS,<sup>1</sup>

Debtor.

Chapter 11

Case No. 18-9108-RLM-11

**MOTION TO SHORTEN NOTICE ON DEBTOR'S MOTION FOR AUTHORITY  
TO OBTAIN POST-PETITION UNSECURED, FORGIVABLE FINANCING  
PURSUANT TO THE PAYCHECK PROTECTION PROGRAM**

USA Gymnastics, as debtor and debtor in possession in the above-captioned chapter 11 case (the “**Debtor**”), hereby moves (the “**Motion**”) for the entry of an order, substantially in the form attached hereto as Exhibit A, pursuant to section III.F of the Case Management Procedures (as defined below), shortening notice on the *Debtor's Motion For Authority To Obtain Post-Petition Unsecured, Forgivable Financing Pursuant To The Paycheck Protection Program* (the “**PPP Motion**”), and respectfully states as follows:

1. The Debtor has contemporaneously filed the PPP Motion, requesting that the Court enter an order authorizing the Debtor to obtain funding pursuant to the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. 116-136 (the “**CARES Act**”) and the Paycheck Protection Program (the “**PPP**”) through PNC Bank, and granting administrative expense status to any claims for repayment of the PPP funding (the “**SBA**”), to the extent that the PPP funding is not fully forgiven pursuant to the applicable provisions of the CARES Act.

2. The Debtor requests that the Court hear the PPP Motion on shortened notice. The *Order Granting Debtor's Motion For Order Establishing Certain Notice, Case Management, And*

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<sup>1</sup> The last four digits of the Debtor's federal tax identification number are 7871. The location of the Debtor's principal office is 130 E. Washington Street, Suite 700, Indianapolis, Indiana 46204.

*Administrative Procedures* [Dkt. 213] (the “**Case Management Procedures**”) permits the consideration of motions on shortened notice for cause.

3. The Debtor submits that cause exists to hear the PPP Motion on shortened notice because current appropriations for the PPP will be exhausted imminently. As a practical matter, without prompt adjudication of the PPP Motion, the Debtor will not be able to obtain PPP funding to which it is otherwise entitled under the CARES Act. In addition, the Court has just set a hearing for June 9, 2020 at 1:30 p.m. on the Debtor’s motion for a preliminary injunction, which seeks to enjoin the SBA’s unlawful policy prohibiting debtors from applying for PPP funding. Expediting the hearing on the related PPP Motion will promote judicial efficiency and allow the Court to grant the Debtor complete relief. Courts frequently shorten notice periods when a debtor identifies cause to do so. *See e.g., In re Fayette Memorial Hospital Assoc., Inc.*, Case No. 18-07762-JJG-11, Dkt. 206 (Bankr. S.D. Ind. Jan. 18, 2019); *In re Scotty’s Holdings, LLC*, Case No. 18-09243-JJG-11, Dkt. 93 (Bankr. S.D. Ind. Dec. 28, 2018); *In re hhgregg, Inc.*, Case No. 17-01302-RLM-11, Dkt. 1292 (Bankr. S.D. Ind. June 30, 2017).

4. Accordingly, consistent with Bankruptcy Rules 4001(c)(2) and 9006(c), Local Rule 9006-1(a), and section III.F of the Case Management Procedures, the Debtor requests that the Court set the PPP Motion to be heard on June 11, 2020 at a time convenient for the Court, with an objection deadline of June 8, 2020 at 4:00 p.m. (prevailing Eastern time).

#### **NOTICE**

5. The Debtor will provide notice of this Motion and any order entered hereon in accordance with the Case Management Procedures, Local Rules 9006-1(d) and 9006-1(e), and Bankruptcy Rule 4001(c)(1). In light of the nature of the relief requested herein, the Debtor submits that no other or further notice is necessary.

WHEREFORE, the Debtor respectfully requests entry of an order, substantially in the form attached as Exhibit A, granting the relief requested in this Motion and granting such other relief as is just and proper.

Dated: May 28, 2020

Respectfully submitted,

**JENNER & BLOCK LLP**

By: /s/ Catherine Steege

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